

## BOARD OF FORESTRY AND FIRE PROTECTION

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### MINUTES BOARD OF FORESTRY AND FIRE PROTECTION MEETING JUNE 9, 2005 SAN BERNARDINO

#### BOARD OF FORESTRY MEMBERS PRESENT:

Stan Dixon, Chairman  
Kirk Marckwald, Vice Chair  
Mark Bosetti  
Gary Rynearson  
David Nawi  
Nancy Drinkard

#### BOARD STAFF:

George Gentry, Executive Officer  
Eric Huff, Executive Officer, Foresters Licensing  
Chris Zimny, Regulations Coordinator  
Mark Hite, Committee Staff  
Laura Estrada, Executive Assistant

#### DEPARTMENTAL STAFF:

Mark Stanley, Chief Deputy Director, Forestry and Fire Protection  
Bill Snyder, Deputy Director, Resource Management, Forestry and Fire Protection  
Duane Shintaku, Assistant Deputy Director, Forest Practice, Forestry and Fire Protection  
Dennis Hall, Chief, Forest Practice, Forestry and Fire Protection  
Chris Browder, Deputy Chief, Forest Practice, Forestry and Fire Protection

#### CALL TO ORDER

Chairman Dixon called the June 2005 meeting of the Board of Forestry and Fire Protection to order.

#### APPROVAL OF MINUTES

Chairman Dixon asked for Board approval of the April and May minutes.

**06-09-2**-Member Rynearson moved to approve the April minutes with a few minor editorials. Member Bosetti seconded the motion, and all were in favor, with one abstention. Abstention from Board Member Nawi for absence.

**06-09-2**- Member Rynearson moved to approve the May minutes with a few minor editorials. Member Drinkard seconded the motion, and all were in favor.

## **CONSENT CALENDAR**

There was nothing to report.

## **REPORT OF FEDERAL AGENCIES: INCLUDING USDA FOREST SERVICE, NATIONAL MARINE FISHERIES SERVICE, US FISH & WILDLIFE SERVICE, AND US ENVIRONMENTAL PROTECTION AGENCY**

Mr. Max Copenhagen, Regional Forester, USDA, distributed handouts to all Board members and said that the U.S Forest Service in San Bernardino has grown to 536 employees and has gone from a budget of 25 million to 77 million. He said that is the highest budget for the U.S. Forest Service.

There has been lack of vegetation management in that forest. He said that when he started working with the U.S Forest Service in San Bernardino in 2002, there was only one forester working at the time. He said the reason for that was that there was not much demand for a forester and hardly any industry.

Mr. Copenhagen reported that the area task force is working very well. They are doing a lot of fuel treatment and feel they can sustain at that level. The cost has been averaging three thousand an acre. He also indicated that the bottom line is public safety. It would be disastrous to close forests because of hazardous material problems.

## **REPORT OF THE CHAIRMAN**

The Chairman commended the San Bernardino unit on making the field trip possible. The Board has a huge commitment on people who live in those remote areas. The Chairman also thanked Board staff.

## **REPORT OF THE DIRECTOR**

Mr. Mark Stanley, Chief Deputy Director, Department of Forestry and Fire Protection, gave a brief report on the budget. He indicated that the 6.7 million dollar budget reduction has been lifted. There was an additional proposal for 5 million dollars for engines and that is still in flux.

The Director signed an Executive Order for this fire season a few days ago and in conjunction with that there was a media event that was held on Tuesday announcing this upcoming fire season. The South went into fire season on May 30, and most of the Cascade region went on fire season June 6 and the remainder of the North will go on June 13. Essentially, the Department will be in full fire season at that point in time.

The Director was asked to give a presentation to the National Fire Protection Agency Association, NFPA, in Las Vegas on the problems with evacuating disabled persons from emergency incident fires. The Director also asked Chief Stanley to announce that there was a crew Captain out in Nevada, Nevada Division of Forestry that apparently was killed near Battle Mountain on June 3rd. They do not know if it was a fire incident or traffic at this point in time.

In regards to personnel changes, Ms. Cindy Shamrock has announced her retirement and Chief Stanley said she will be a great loss to the Department. Her position has already been advertised and she will stay on board through the transition to help out.

## **REPORT OF THE UNIT CHIEF**

Mr. Dave Neff, Unit Chief, San Bernardino Unit, reported that CDF is on its 100 anniversary. Additionally, he said that the Unit is diverse and has two of the largest Counties in California. Their Unit has, in terms of elevation, the lowest point in the State of California and also has the highest point.

Chief Neff went over the Departments assets. He indicated that the Department covers three Counties. In San Bernardino County the Department protects approximately 352,000 acres, which are reflected on the handout that was distributed. In Inyo County they protect approximately 192,000 acres. In Mono County they protect approximately 2,200 acres. The acreage total is SRA wildland fire protection areas. They also provide via contract wildland contracts for the Chino Valley Independent Fire District. They have a wildland contract over 11,000 acres. The city of Chino was over 1,000 acres, the city of Redlands just over 4,000 acres. Currently, they are working on another city, which is the city of Loma Linda, which would be 3,000 acres.

Chief Neff also went over schedule A contracts.

Chief Neff said that all this is done with a staff of 139 permanent people and they usually hire 50 to 60 firefighters that are staffed seasonal people, which has expanded in the last three years to 117 additional staff.

Chief Neff went over the four camps in the Unit. They have 9 B stations with fourteen engines and six reserve engines. Schedule A has a total of four stations with a total of ten engines. In the next eighteen months the Department will be constructing two additional stations, based on expanding urbanization and residential development for those two contracts.

Chief Neff went over six main areas of focus for their Department:

1. Fire Safe Councils
2. Community Wildfire Protection Plans
3. Implementation
4. Vegetation Management – importance of removing dead trees.
5. Urbanization/SRA/Mission –
6. Changing faces of CDF

Member Ryneanson asked the Unit Chief how the Board could help address those six issues.

Chief Neff said that by the Board coming here today and listening to the Department's issues, it helps to make it easier for the Board to understand the challenges. There should be more focus in Southern California and stressed that there is a need to understand that when a fire occurs, the Department can go a long way in improving some of those issues around the State.

#### **REPORT OF LOCAL GOVERNMENTS: SAN BERNARDINO COUNTY BOARD OF SUPERVISORS**

Mr. Peter Brierty, Fire Marshall, San Bernardino County, gave a presentation and reported that San Bernardino has had success on the Bark Beetle issue. Additionally, he went over the tree mortality issue. Mr. Brierty distributed handouts to the Board members and maps on the different communities on dead tree removal.

The following is the progress to date:

1. Staging area – log deck created
2. County financed wood products
3. Environmental review – T&E species and habitat
4. Transfer to public works – will be very successful in the future
5. Working within the MAST organizational structure.

MAST Partnership:

- |  |              |
|--|--------------|
| 1. Fire Safe Councils                      | 2. Cal Trans |
| 3. National Resource Conservation Services | 4. CHP       |
| 5. U.S. Forest Service                     | 6. CDF       |

The Fire Marshall reported that it is important to note that the California Department of Forestry has been instrumental in the MAST Partnership.

Member Ryneanson asked if there was a program to work with landowners to do a healthy forest restoration approach on thinning the green trees.

Mr. Brierty said that the Mission for the Natural Resource Conservation District contained in their Legislation, only calls for dead, dying and diseased. They are working very closely with them, with the support of CDF and they have some projects that have come up in that regard, but they have realized that they have to move on the healthy forest concept and not just the dead tree concept. It is something that NRC wants to do and with the support from Legislators they will be able to do it.

#### **PRESENTATION BY COUNTY OF SAN BERNARDINO ECONOMIC DEVELOPMENT COUNCIL. INFRASTRUCTURE GRANTS AND CONTRACTING FOR TREE REMOVAL**

Ms. Kathleen Robles, Economic Development Specialist, County of San Bernardino, went over the County's loan program and utilization regarding the Bark Beetle. She reported that back in 2004 the County applied for a grant from the U.S. Forest Service for economic use of the Bark Beetle timber coming off the mountain. The Forest Service did not want it incinerated or land filled and the whole purpose of the grant was to get it off the mountain as quick as possible. The County applied and received 4 million dollars. Out of that 4 million dollars they have issued .5 million dollars to loans. Ms. Robles went over the various organizations. Additionally, she went over the loan program.

#### **FIRE SAFE DEVELOPMENT PLANNING IN SOUTHERN CALIFORNIA**

Mr. John Sherwood, Project Manager, Irvine Community Development Company, Orange County, reported that they are the owners and master developers for the Mountain Park Community, which is located in the city of Anaheim, Orange County. They came today to do a presentation on support of modification of very high fire severity zone adjustment in the city of Anaheim. He reported that this came about on an environmental impact report on the development that was distributed two months ago for review and comment by different agencies, one being CDF. Through the comments and review, the Regulations Coordinator asked them to come and show the Board the development's "Preliminary Fire Master Plan", which they have developed for the property. The Fire Master Plan on Mountain Park was distributed to all Board members. He reported that they are trying to develop 2,500 homes in that particular development and went over the specifics on this new development.

Items that he went over were fire access in the prospective community and their emphasis on maintaining a fire safe community.

Additionally, Mr. Sherwood commented that he feels his community has all the state of the art safety systems that the city of Anaheim has supported to this point and wanted the Board to be aware of what they were doing. He thanked the Board for their review and that the outcome of this meeting be that the very high fire severity zones can be modified to only reflect the wildland areas and that would be a benefit to their project.

Mr. David Oatis, Fire Protection Planner, Fire Safe Planning Solutions, went over the construction details of the development and fuel modifications for the Mountain Park project. What they have provided for the Mountain Park project is a standard modification plan of 170 feet throughout the whole outer perimeter of the project. Mr. Oatis went over the specifics on those modifications.

Member Ryneanson asked if this was a contract area or CDF.

They said it was a contract area.

Member Nawi commented that he finds it very encouraging that the level of attention that the development is paying to fire safety issues.

Mr. Zimny reported that one of the recommendations that the Board would be forwarding to the city was regarding the remaining hazardous classification of the open space area. The obvious question to the Board in their discussion has been with no vegetation or hazard reduction in that substantial open mountain space, the assessment to reduce the hazard in the development area does not need to have any vegetation or hazard reduction in the open space area. The closure of the development and the construction standards of the development itself is an adequate fire protection measure. Not having to deal with vegetation is not necessary. Mr. Zimny asked if this was correct.

Mr. Sherwood said that was correct.

Mr. Zimny asked if there was any pre-suppression access.

Mr. Oatis responded that there was a fire access road with a public trail that will be maintained by the County.

### **REPORT OF THE CALIFORNIA OAK MORTALITY TASK FORCE (COMTF)**

Mr. Mark Stanley, Chief Deputy Director, Forestry and Fire Protection, went over June 2005 Oak Mortality Task Force Report, which was included in the Board folders. In addition, he announced the Oak Symposium, which will take place in the fall 2006 in Santa Rosa. This symposium will be dealing with Sudden Oak Death.

### **REPORT OF THE ADVISORY COMMITTEES**

#### **CALIFORNIA FOREST PEST COUNCIL**

Mr. Scott Johnson reported that the summer field tours are in progress. Additionally, he announced the joint tour and the Weed Committee on July 20 and 21, 2005. Mr. Johnson thanked the San Bernardino Unit for the fieldtrip.

Mr. Glen Barley, Forester, gave a Power Point Presentation entitled "Vegetation Mortality: a Watershed Crisis Update". This covered the San Bernardino Mountain Communities. He distributed handouts to all Board members. Mr. Barley reported that this was not a bark beetle problem, but a forest health problem.

#### **RANGE MANAGEMENT ADVISORY COMMITTEE (RMAC)**

Mr. George Gentry announced that RMAC would meet in Sacramento on June 21, 2005.

#### **MONITORING STUDY GROUP (MSG)**

Mr. George Gentry announced that the Monitoring Study Group will be meeting in Redding on July 7, 2005.

#### **PROFESSIONAL FORESTERS EXAMINING COMMITTEE (PFEC)**

Mr. Eric Huff, Executive Officer, Foresters Licensing, requested permission from the Board members on the following:

Registered Professional Foresters have requested and meet the requirements for license withdrawal pursuant to 14 CCR §1608:

James Strong	RPF No. 2689	Arnold Albrecht	RPF No. 545
Leo Hession	RPF No. 1919	Wayne Howard	RPF No. 1031
Ralph Walden	RPF No. 1617	Deryl Rosel	RPF No. 1721
Dennis Teegarden	RPF No. 531		

The following Registered Professional Foresters have requested license reinstatement from withdrawal status per 14 CCR §1608(d):

John McGregor	RPF No. 66	Gerald Eoff	RPF No. 1278
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The following Certified Rangeland Managers have requested Voluntary Relinquishment:

Monte Bell	CRM No. 739
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Professional Foresters Registration wishes to note the passing of the following Registered Professional Forester:

Jack E. Moore	RPF No. 739
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**06-09-13** Member Ryneanson made a motion to approve the above listed Withdrawals, Reinstatement, Relinquishment and passing of an RPF. Member Nawi seconded the motion.

Mr. Huff did say that they are scheduled to meet with the graders prior to the July meeting and will have a whole group of new RPF's to announce in Quincy.

#### **DISCUSSION REGARDING THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) AND MANAGEMENT PLAN FOR JACKSON DEMONSTRATION STATE FOREST (JDSF)**

Mr. George Gentry, Executive Officer, Board of Forestry, requested that Member Nawi and Member Ryneanson indicate to Mr. Gentry at their earliest possible convenience a suitable date to review the work product that they have at this point in time.

Regarding the status of the EIR, there are three sections waiting to be completed and those are the Executive Summary, Cumulative Impacts section and the Wildlife section. The Wildlife section may be complete in the next week.

#### **STANDING COMMITTEES OF THE BOARD**

##### **REPORT OF THE SENSITIVE WATERSHEDS NOMINATIONS REVIEW COMMITTEE (SWNRC)**

Mr. George Gentry reported that the Sensitive Watershed Nominations Review Committee met in Eureka. The Committee draft minutes have been forwarded to the Board members for their review. The actions from that meeting were that the Committee voted and agreed that the nomination contained all elements that are required under 916.8(a) and so that nomination is now complete. The Committee is now moving on to the second phase, which is consideration of what approaches can be taken within the Watershed and whether the Watershed will meet the sensitive designation under the Board Rule.

The next meeting for this Committee is scheduled for July 6, 2005 in Eureka, which is the day before the MSG meeting, which Mr. Gentry will be attending as well.

Member Nawi asked when the second phase would be completed.

Mr. Gentry said that would depend on what happens in the next meeting.

Member Ryneason asked about the status of the development of the Watershed-Wide Waste Discharge Report, and petition by the North Coast Regional Board.

Mr. Gentry indicated that had been an ongoing issue and has asked for an additional update of the July 6<sup>th</sup> meeting, so that the Board can consider that in terms of context of any possible nomination.

Member Ryneason said that he would like to understand how the Sensitive Watershed approach will address those standards, since once the Watershed Wide WDR's have been accepted by the Regional Board, they become part of the basin plan and therefore, have the effect of regulation, based on the Boards standards in 898.1. He said he is trying to understand the interface on how that is going to occur in meeting the test of the Sensitive Watershed, and assuming that it does develop specific standards that would apply to that Watershed. Member Ryneason said he would like to know how that was going to fit with the Watershed Wide WDR's that is in the process of being developed with both Elk River and Freshwater.

Mr. Gentry said that the Committee recognizes those issues and it is the center point of their discussions.

### **POLICY MANAGEMENT COMMITTEE (PMC)**

Member Nawi went over the pending Legislation regarding the likely passage of the electronic filing of timber harvesting plans. The Committee also had a discussion regarding the questions about whether electronic filing could dispense with paper copies and the impression was that it would not. Rather than simplifying, it could end up being more work for CDF and there are also some legal issues pending on that Legislation.

The Committee also discussed parcelization and the loss of forestland, particularly in the Sierra Foothills. There was a general sense that this was going on for some time and it has had a deleterious effect on the Timber Industry in the State and it has a deleterious effect on the loss of forest lands and wildlife habitat, as well as the communities effected by the loss of the forest industry. The Committee could not come up with any solutions, but it was suggested that the Board may look at this from a policy perspective and with that in mind, the Committee anticipates meeting next month with Bill Stewart, CDF could provide the Committee with information which would help them craft a policy statement in that regard.

Member Nawi went over the draft of a letter that Mr. Huff had prepared following a Joint meeting with the Fish and Game Commission on Oak Woodlands. This letter would be sent to Counties and is a preliminary draft that had not been shared with Marty Berbach, DFG staff. The Committee will provide Mr. Huff with some editorial suggestions and will consider a further draft of that letter in next months meeting.

Member Nawi reported that the Committee had a very interesting presentation from Mr. Keith Greenwood. The presentation addressed the performance based THP that he submitted through the Department. Mr. Greenwood went through and looked at THP's in general, as well as what a THP is and what its purpose is and what could accomplish those purposes. Mr. Greenwoods point was a THP is an operational guidance document and in part is an informational document. The Committee learned that in the future CDF is going to be revising the form of the THP and that will be taking place later this summer and into the fall. The Committee encouraged Mr. Greenwood to be a part of that process.

The Committee also went over the Board Policy Statement and will be considering this next month. Mr. Huff and Mr. Gentry agreed to make a draft for consideration of the Committee and will bring it to the Board at the appropriate time.

Member Ryneason commented that it was useful for parcelization to have a summary County by County of the current TPZ Standards.

Mr. Duane Shintaku will be taking care of this item.

Member Marckwald addressed the Chairman regarding a carry over item from the Joint meeting regarding a suggestion that the Chairman and counterpart with the Commission would appoint a couple of people who similarly work on the revision of the Salmonid Coho Joint Policy statement. He was not sure if having it put in a Committee or to have two other people assigned to do this.

The Chairman acknowledged the request.

## **FOREST PRACTICE COMMITTEE (FPC)**

Member Ryneason went over the CLFA Streamlining Regulation Proposal and there were four issues that the Committee was discussing. CLFA, CDF and DFG have met to review that proposal and have also had input from the State Water Resources Control Board Personnel, Gaylen Lee, who provided input.

There was a request to identify sections of Watercourses that are clearly not restorable and therefore do not support androdamus salmonid species so that the T and I designation or T and I standards not be applied. Fish and Game and CLFA representatives will continue to discuss those issues and appropriate protection measures. They also discussed whether it was appropriate to sample mark and sample flag the Watercourses prior to the PHI. This applies to both THP's and NTMP's and could be problematic on NTMP's because the Class I Watercourses or Class II Watercourses are adjacent to 20-year-old stands of trees that will not be harvested for twenty to thirty years. Therefore, they are currently having discussions as to how they could adjust those and still provide adequate information to the agencies and to the public to ensure that resources that are potentially at risk are being properly dealt with at this current time.

Member Ryneason said that regarding the SNTMP, a representative from Forest Landowners of California came to speak. They believe that they are following the Stewardship NTNP Proposal and see it as an opportunity to provide them some long-term surety and addressed some of the issues that are not all specific to our regulations. They encouraged the Committee to resolve any differences that the Board may have. Staff prepared a report that provided a critique of the current SNTMP document as well as other initial comments that were provided by an RPF who have helped develop the SNTMP document.

Member Ryneason requested that the document go back to the SNTMP Committee and review that document for concerns that were raised by staff, so that some of the issues can be clarified. The Committee has asked on the next meeting, they need to talk about what are the goals of the NTMP and what they expect and which agencies should be present and who currently control timber harvesting or forest management.

Member Ryneason also mentioned that the Board had a discussion on the Tahoe exemption standards. They will continue to work under the Emergency Rule at this time.

## **RESOURCE PROTECTION COMMITTEE (RPC)**

Member Bosetti, Chairman of the RPC, went over the presentation on local government in mountain communities. There are concerns on firefighting because of SRA lands. They feel they are not getting the equal level of service. The Committee will try to work with them on this issue.

Member Bosetti also went over implementing regulations on SB1369. He felt that the Committee had a good discussion on this topic. The Committee is getting close with a draft language on wording and may possibly be completed by next month.

The Committee had a presentation by Roger Thompson, on change of classification of LRA land to SRA land.



The Committee also had a presentation by Kate Dargen, State Fire Marshall's office on Wildland Urban Interface building standards. Member Bosetti said it was an informative presentation.

There was an update on the community wildfire protection plan process by Tom Hoffman

Member Bosetti went over the agenda item that was on the review of the City of Anaheim's General Plan. He went over tab 6 in the Board binder. It entailed the Committee's draft recommendation to the full Board for consideration. He asked that the Board move forward as the Board's recommendation to the County as they consider the City of Anaheim's general plan for this particular development, Mountain Park. Member Bosetti referred Board members to tab 6, page 9, which is a compilation of what the Committee and the Regulations Coordinator have made on those recommendations. (Refer to tab 6, page 9)

**06-12-15** Member Bosetti made a motion that the Board forward on review and recommendations to the Mountain Park District Plan, Amendment N0. 1, as the Board's recommendation. Member Ryneerson seconded the motion and all were in favor.

### **REPORT OF THE REGULATIONS COORDINATOR**

Mr. Chris Zimny, Regulations Coordinator, reported that there are currently three hearings scheduled in July's Board meeting in Quincy.

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| 1. | Transition Silviculture | 2. | AB 2420 | 3. | RMP 2005 |
|----|-------------------------|----|---------|----|----------|

Mr. Zimny also reported that the Executive Officer of the Board informed him that the Tahoe exemption WLPZ Emergency Regulation was cleared through the Resources Secretary Legal Counsel. The Board is currently able to file and will file immediately. The Tahoe Exemption will be in effect from July for another 120 days.

July is the end of the Forest Practice Committee's Regulations through OAL. This was included in the Board binder.

### **REPORT OF THE EXECUTIVE OFFICER**

Mr. George Gentry, Executive Officer for the Board, reported that the upcoming July Board meeting would be held at the Feather River College in Quincy on July 12-14, 2005. The field tour will be on July 12, 2005.

Mr. Gentry informed the Board members that the Executive Assistant interviews would be held on June 17, 2005.

On June 24, 2005, Mr. Gentry reported that he would be going with the Department Counsel to Oakland for the session with the Administrative Law Judges. Additionally, there have been some revisions to the Board's Website. The precedential decisions are now currently up on the Website and you can also obtain information on Elk River.

The Executive Officer commended Mr. Glen Barley on the good job he did on facilitating the Boards fieldtrip.

**PUBLIC FORUM:** Members of the public may address the Board on any topic within its jurisdiction not otherwise on the agenda. Submittal of written comments is encouraged to ensure that all comments will be included in the record before the Board. Please be prepared to summarize comments to three minutes in length, or otherwise at the discretion of the Chairman.

Mr. Paul Mason, Sierra Club, commented regarding the tour. He said that the Board has done a good job on fuel reduction projects. He thinks the Board should be addressing spending on prevention from the general fund and provide guidance on legislation on fire protection. Additionally, he made a suggestion on Legislation on finding funds for prevention and not just suppression.

Ms. Sherry Fairbanks, Mountain Rim, commented on fuel reduction projects and the need for adequate funding.

### **NEW AND UNFINISHED BUSINESS**

Member Ryneanson commented regarding CDF, FRAP on prior discussions on fuel treatments on dead and dying trees. It would be useful to have an assessment to look at volume and project on productivity.

Mr. Bill Snyder asked if he was looking for a volume sense on solid wood product.

Mr. Zimny said that CDF co funded a report on utilization assessment and has assessment product type.

Mr. Snyder said that he would coordinate through the Executive Officer and have a report by August. He did say that there are reports in existent.

Chairman Dixon thanked the Board on working on the logistical part of planning the field trip and meeting.

### **ADJOURNMENT**

The Chairman adjourned the June 9, 2005 meeting of the Board.

Respectfully submitted,

ATTEST:

George D. Gentry  
Executive Officer

Stan Dixon  
Chairman

Copies of the attendance sheets can be obtained from the Board Office.